

HONORABLE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BUNGIE, INC., a Delaware corporation,
Plaintiff,

v.

JOSHUA FISHER, JACOB W. MAHURON
A/K/A "PRAGMATIC TAX," MATTHEW
ABBOTT A/K/A "NOVA," DAVID
HASTINGS A/K/A "J3STER," TRAVERS
RUTTEN A/K/A "TRAVERS7134," JESSE
WATSON A/K/A "JESSEWATSON3944,"
JOHN DOE NO. 1 A/K/A "CALC" JOHN
DOE NO. 2 A/K/A "CYPHER," JOHN
DOE NO. 3 A/K/A "KHALEESI," JOHN
DOE NO. 4 A/K/A "GOD," JOHN DOE
NO. 5 A/K/A "C52YOU," JOHN DOE NO.
6 A/K/A "LELABOWERS74," JOHN DOE
NO. 7 A/K/A "FRAMEWORK," JOHN
DOE NO. 8 A/K/A "SEQUEL," JOHN DOE
NO. 9 A/K/A "1NVITUS," JOHN DOE NO.
10 A/K/A "SINISTER," AND JOHN DOES
NO. 11-50,

Defendants.

Case No. 2:23-cv-01143-MLP

DECLARATION OF DYLAN SCHMEYER
IN SUPPORT OF PLAINTIFF BUNGIE,
INC.'S UNOPPOSED MOTION TO
AUTHORIZE THIRD-PARTY
DISCLOSURE IN RESPONSE TO
SUBPOENAS

NOTE ON MOTION CALENDAR:
February 22, 2024

I, Dylan Schmeyer, declare and state as follows:

1. I am an attorney with Kamerman, Uncyk, Soniker & Klein, P.C., counsel to
Plaintiff in this action. I make this declaration based on my personal knowledge of the facts
herein, and could and would testify to them competently if necessary.

2. For roughly half of the subpoenas Bungie has issued the recipients have produced

1 or responded, several of which productions include a great many IP addresses for which Bungie
2 is likely to require further discovery to track down.

3 3. Bungie has received notice from one subpoena recipient, Verizon, that believes it
4 requires a court order, as enumerated in 47 U.S.C. § 551(c)(2)(B), to legally comply with the
5 subpoena served upon it.

6 4. The notice from Verizon was postmarked on January 17th. I received it on
7 January 25th. A true and correct copy of Verizon's notice is attached hereto as **Exhibit 1**.

8 5. I called Verizon to confirm the contents of its notice on January 26th, and to meet
9 and confer with it about this motion. I called again on February 21st to confirm its intention not
10 to oppose this motion and to ensure we were requesting adequate authorization from the Court to
11 enable Verizon to move forward with its response to the subpoena.

12 6. Verizon's subpoena response agent, identified in our correspondence as "Stephen
13 Z.", indicated that they would not oppose this motion, and indeed invited us to pursue this order,
14 indicating that what they required was language in an order authorizing disclosure under
15 47 U.S.C. § 551(c)(2)(B).

16 7. Bungie is attempting to use the resources at its disposal to identify the holders of
17 the IP addresses it has obtained irrespective of the discovery that is still outstanding.

18 I declare under penalty of perjury under the laws of the United States that the foregoing is
19 true and correct to the best of my knowledge.

20 Executed this 22nd day of February, 2024, at Thornton, Colorado.

21
22 s/ Dylan Schmeyer
23 DYLAN SCHMEYER
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